



Entered on Docket  
September 13, 2011

A handwritten signature in black ink, appearing to read "R. B."

Hon. Linda B. Riegle  
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)  
John Hinderaker (AZ 018024)  
Marvin Ruth (NV 10979)  
3993 Howard Hughes Parkway, Ste. 600  
Las Vegas, Nevada 89169-5996  
Telephone (702) 949-8320  
Facsimile (702) 949-8321  
Email: [rcharles@lrlaw.com](mailto:rcharles@lrlaw.com)  
[jhinderaker@lrlaw.com](mailto:jhinderaker@lrlaw.com)  
[mruth@lrlaw.com](mailto:mruth@lrlaw.com)

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Second Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based Entirely Upon Investment In  
The Palm Harbor One Loan**

Hearing Date: August 30, 2011  
Hearing Time: 10:30 a.m.

The Court having considered the "Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Palm Harbor One Loan," ("Palm Harbor Loan") [DE 8594] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the borrower or from the collateral securing the Palm Harbor Loan; and good cause appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8594] is sustained; and  
3 2. The claims listed on **Exhibit A** attached are disallowed in full because those  
4 claims are based entirely upon an investment in the Palm Harbor Loan.

5  
6 PREPARED AND RESPECTFULLY SUBMITTED BY:

7 **LEWIS AND ROCA LLP**

8  
9 By /s/ John Hinderaker (AZ #018024)

10 Robert M. Charles, Jr.

11 John Hinderaker (*pro hac vice*)

12 3993 Howard Hughes Parkway, Ste. 600

13 Las Vegas, Nevada 89169-5996

14 Telephone: (702) 949-8320

15 Facsimile: (702) 949-8321

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17 *Attorneys for USACM Liquidating Trust*

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**USACM Trust**  
**Palm Harbor One, LLC**  
**Single Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Palm Harbor One Loan
10725-00841	10/31/2006	Ingrid A Rutherford Family Trust Dtd 7/8/99	Ingrid A Rutherford Tree PO Box 373 Keyser, WV 26726-0373	50,659.78	50,659.78
10725-00033	4/24/2006	James, Donald E	2038 Palm St SPC 438 Las Vegas, NV 89104	60,000.00	60,000.00
10725-02354	1/16/2007	Johnston Trust Dtd 9/7/85	Rodney L & Diane E Johnston Tees 4326 Arcadian Dr Castro Valley, CA 94546	102,082.96	51,041.48
10725-01310	11/13/2006	Kiesel, Jeffrey	809 Tally Ho Ln Chester Springs, PA 19425	716.67	716.67
10725-01594	12/8/2006	Mayo, Monroe	8635 W Sahara Ave #532 Las Vegas, NV 89117	1,612.91	1,612.91
10725-00269	9/27/2006	Michel F & Patricia A Aiello Trust Agt Dtd 10/4/94	312 Ski Way Incline Village, NV 89451-9223	50,000.00	50,000.00
10725-00469	10/6/2006	Murphy Family Trust	Dr James & Tracy Murphy TTEES Christopher D Jaime Esq	75,717.00	75,717.00
10725-00101	8/15/2006	Murphy Family Trust, Dr James & Tracy Murphy - Tru	Po Box 30000 Reno, NV 89520	75,717.00	75,717.00
10725-01368	11/13/2006	P Morgan Trust	Christopher D. Jaime, Esq. Po Box 30000 Reno, NV 89520	75,717.00	75,717.00
10725-01376	11/13/2006	Payne, Shirley	Paula A Morgan Tree 1005 Windfair Village St Las Vegas, NV 89145-8664	50,000.00	50,000.00
10728-00093	10/3/2006	Rosenthal, Arnold	Po Box 208 Grass Valley, CA 95945 6059 Woodman Ave Van Nuys, CA 91401-2925	500.00	500.00

**EXHIBIT A**